

1-29-2002

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3L Schechner Argues in RI Supreme Court

1/29/02-Boston College Law School 3L student Ranen Schechner argued before the Rhode Island Supreme Court on Tuesday, January 29. The appearance marked the first time a student has ever argued before this particular court.

BC Law Advocacy Director Alexis Anderson, who was in court to watch the proceedings, reported that after the argument had concluded but while court was still in session, the Chief Justice specifically commended Ranen on his superb brief and oral argument. The Chief Justice also said that he wished that the argument had been "videotaped" so that the Court could use it as a training tape for other practitioners before their Court. The judges officially took the matter under advisement, with an opinion expected in the next few months.

"Ranen superbly represented his client," said Anderson, "providing the Court with an incisive legal analysis and a commanding presence under tough questioning from a "hot" bench. A job very well done!"

The case, *State v. Marshall*, is a constitutional attack on a Rhode Island criminal statute as void for vagueness and overbroad under the First Amendment. Schechner and his defenders' office represent on appeal a man accused of making a harassing and threatening phone call to his estranged wife at work. According to his brief, Schechner argued that "if [the states argument] is interpreted to require that the intent to use the prohibited language must exist at the inception of the call, then the fact that purpose of the call was reconciliation requires a finding for the Appellant. On the other hand, if the statute cannot be reasonably read to include a meaningful conduct requirement, then it is unconstitutionally overbroad as a proscription of protected speech."

While always hard to predict a Court's ruling, Anderson reported that the questions asked on Tuesday suggested that the Court was quite troubled by the earlier conviction. "[Schechners] supervisor, Deputy Public Defender Barbara Hurst, should also be commended for her assistance and good guidance," Anderson said.